

17W
Docket No. JBP0430CIP1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Miri Seiberg et al.

Serial No. : 10/659,598

Art Unit: 1654

Filed : September 10, 2003 Examiner:

For : Methods for Treating Skin Conditions

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

July 8, 2004
(Date of Deposit)

Andrea L. Colby
(Name of applicant, assignee, or Registered Representative)

Andrea L. Colby
(Signature)

July 8, 2004
(Date of Signature)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

FIRST SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

This copy is supplemental to the Information Disclosure Statement mailed on February 2, 2004.

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this

information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

☒ In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under §1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required.

☐ In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or an action that otherwise closes prosecution and that it is accompanied by one of:

- ☐ Statement in Accordance with §1.97(e) (attached); or
- ☐ Please charge Deposit Account No. 10-0750/ / the fee of \$180.00 as set forth in §1.17(p).

☐ In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee.

Applicant(s) hereby petition(s) for consideration of this Information Disclosure Statement. Included are: Statement in Accordance with §1.97(e) as set forth below and the fee of \$180.00 as set forth in §1.17(p).

☐ Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.

☒ Identification of Prior Application in Which Listed Information Was Already Cited and for Which No Copies Are Submitted or Need Be Submitted.

☒ This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior application SN.: 09/110,409, filed on July 6, 1998.

☐ This application also relies, under 35 § U.S.C. 120, on the earlier filing date of prior application SN.: , filed on .

☒ The following references were submitted to, and/or cited by, the Office in the prior application(s) and, therefore, are not required to be provided in this application: All.

☒ If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

☐ Copies of only foreign patent documents and non-patent literature are enclosed in accordance with 37 CFR 1.98 (a)(2). (The U.S. patents and each U.S. patent application publication listed on the attached Form PTO-1449 are not enclosed because this U.S. patent application was filed after June 30, 2003 or this international application has entered the national stage under 35 USC §371 after June 30, 2003 (see USPTO waiver of requirement under 37 CFR 1.98 (a)(2)(i)).

☐ There are no listed references which are not in the English language.

☒ The relevance of those listed references which are not in the English language is as follows:

English language abstract and claims are provided for EP 0643083 A1 from its B1 document, copy of which is also provided.

English language abstracts are provided for CN 1094279, FR 2596986, FR 2641696, FR 2685202, JP 6145061, JP 6192085, JP 7010772, JP 7196527, JP 7196529, JP 8040824, JP 8059450, JP 8143442, JP 8333260, JP 9059166, JP 9077638, JP 9176033, JP 58225004, JP 59187756, JP 2000302678, KR 92-8853, and WO 97/11033.

English language translations are provided for EP 0421021, FR 2803747, FR 2811226, JP 1096106, JP 3127713, JP 4169514, JP 5015574, JP 5213729, JP 5246932, JP 5320024, JP 5320061, JP 7304655, JP 8012560, JP 8020597, JP 8099891, JP 9025212, JP 9025214, JP 11346695, JP 58225003, JP 62036304, JP 63068512, JP 63096120, JP 63227515, JP 63316711, KR 92-8851, RU 2066992, WO 96/40121, WO 99/09065, WO 00/15188, WO 02/07697, and HAMADA J. Soc. Cosmet. Chem. Japan 31(4):413-419 1997.

English language equivalents are provided as follows:

EP 0643960 - US 5,741,496

EP 0655470 - US 5,712,356 & 5,936,052

EP 0661037 - US 5,629,015

EP 0814116 - US 5,871,823

JP 5114905 - EP 0508886

WO 87/07838 - US 4,978,528

WO 98/33089 - US 6,018,001

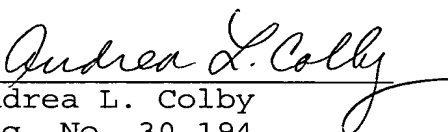
WO 02/07697 - US 2004/009142

☐ Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D.

☒ Attached are copies of patent applications/patents which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.

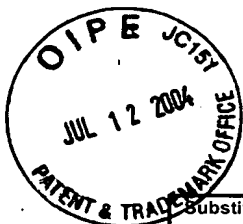
Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/JBP430CIP/ALC. This form is submitted in triplicate.

Respectfully submitted,


Andrea L. Colby
Reg. No. 30,194
Attorney for Applicants

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DATED: *July 8, 2004*



PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 23

Application Number	10/659,598
Filing Date	09/10/2003
First Named Inventor	Miri Seiberg
Group Art Unit	1654
Examiner Name	
Attorney Docket Number	JBP0430CIP1

U.S. PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		Number	Kind Code ² (if known)			
		3,097,947	A	Kemmerer	07-16-1963	
		3,625,976	A	Theimer	12-07-1971	
		3,755,560	A	Dickert	08-28-1973	
		4,007,266	A	Choay	02-08-1977	
		4,056,637	A	Hagiwara et al	11-01-1977	
		4,151,304	A	Evans	04-24-1979	
		4,190,671	A	Vanstone	02-26-1980	
		4,219,569	A	Glenn	08-26-1980	
		4,223,018	A	Belle	09-16-1980	
		4,254,105	A	Fukuda	03-03-1981	
		4,272,544	A	Cella	06-09-1981	
		4,278,570	A	Flom	07-14-1981	
		4,279,930	A	Hall	09-14-1979	
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		4,331,692	A	Drevici	05-25-1982	
		4,333,927	A	Ofuchi	06-08-1982	
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		4,370,315	A	Greff	01-25-1983	
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		4,421,769	A	Dixon	12-20-1983	
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		4,434,095	A	Chipens et al.	02-28-1984	
		4,437,895	A	Koulbanis	03-20-1984	
		4,439,418	A	Moller	03-27-1984	
		4,462,981	A	Smith	07-21-1984	
		4,477,434	A	Kosaka	10-16-1984	

Examiner Signature	Date Considered
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Sheet 2 of 23

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		Number	Kind Code ² (if known)			
		4,486,448	A	Ser	12-04-1984	
		4,488,564	A	Grollier	12-18-1984	
		4,515,778	A	Kastell	05-07-1985	
		4,524,067	A	Arichi	06-18-1985	
		4,537,782	A	Millet	08-27-1985	
		4,550,035	A	Smith	10-29-1985	
		4,578,267	A	Salamone	03-25-1986	
		4,584,190	A	Tejima	04-22-1986	
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		4,834,076	A	Millet	05-30-1989	
		4,847,267	A	Deckner	07-11-1989	
		4,851,214	A	Walters	07-25-1989	
		4,859,458	A	Salamone	08-22-1989	
		4,867,964	A	Forestier	09-19-1989	
		4,871,530	A	Grollier	10-03-1989	
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		4,906,457	A	Ryan	03-06-1990	
		4,943,462	A	Komerska	07-24-1990	
		4,960,588	A	Hoshowski	10-02-1990	
		4,960,764	A	Figueroa	10-02-1990	

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Sheet 3 of 23

Application Number	10/659,598
Filing Date	09/10/2003
First Named Inventor	Miri Seiberg
Group Art Unit	1654
Examiner Name	
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		Number	Kind Code ² (if known)			
		4,970,216	A	Deckner	11-13-1990	
		4,971,825	A	Kitazume et al.	11-20-1990	
		4,978,528	A	Degre	12-18-1990	
		5,002,761	A	Mueller	03-26-1991	
		5,032,382	A	Crollie	07-16-1991	
		5,032,400	A	Wiersum	07-16-1991	
		5,043,323	A	Bombardelli	08-27-1991	
		5,057,417	A	Hammonds et al.	10-15-1991	
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		5,104,655	A	Bombardelli	04-14-1992	
		5,110,603	A	Rau	05-05-1992	
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		5,147,859	A	Bombardelli	09-15-1992	
		5,166,139	A	Bombardelli	11-24-1992	
		5,171,577	A	Griat	12-15-1992	
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		5,188,823	A	Shapiro	02-23-1993	
		5,192,332	A	Lang	03-09-1993	
		5,194,252	A	Hofmann	03-16-1993	
		5,217,717	A	Kennedy	06-08-1993	
		5,229,104	A	Sottery	07-20-1993	
		5,231,090	A	Hsia	07-27-1993	
		5,248,495	A	Patterson	09-28-1993	
		5,254,331	A	Mausner	10-19-1993	

Examiner Signature	Date Considered
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Sheet 4 of 23

Application Number	10/659,598
Filing Date	09/10/2003
First Named Inventor	Miri Seiberg
Group Art Unit	1654
Examiner Name	
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		Number	Kind Code ² (if known)			
		5,260,065	A	Mathur	11-09-1993	
		5,270,042	A	Whitham	12-14-1993	
		5,276,058	A	Satoh	01-04-1994	
		5,306,444	A	Kitamura	04-26-1994	
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		5,503,832	A	De Stoutz	04-02-1996	
		5,510,391	A	Elson	04-23-1996	
		5,523,308	A	Costanzo	06-04-1996	
		5,539,129	A	Zysman	07-23-1996	

Examiner
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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

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Sheet 5 of 23

Application Number	10/659,598
Filing Date	09/10/2003
First Named Inventor	Miri Seiberg
Group Art Unit	1654
Examiner Name	
Attorney Docket Number	JBP0430CIP1

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		Number	Kind Code ² (if known)			
		5,545,399	A	Lee	08-13-1996	
		5,547,661	A	Sun	08-20-1996	
		5,554,647	A	Perricone	09-10-1996	
		5,565,439	A	Piazza et al.	10-15-1996	
		5,565,493	a	Nakata et al.	10-15-1996	
		5,567,420	A	McEleney	10-22-1996	
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		5,571,503	A	Mausner	11-05-1996	
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		5,589,181	A	Bencsits	12-31-1996	
		5,595,984	A	Blank	01-21-1997	
		5,597,814	A	Blank	01-28-1997	
		5,601,833	A	Roboer	02-11-1997	
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		5,607,692	A	Ribier	03-04-1997	
		5,614,180	A	Chung	03-25-1997	
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		5,616,572	A	Blank	04-01-1997	
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		5,620,692	A	Potter	04-15-1997	
		5,622,690	A	Potter	04-22-1997	
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		5,629,015	A	Ribier	05-13-1997	
		5,629,301	A	Blank	05-13-1997	
		5,631,318	A	Ito	05-20-1997	

Examiner Signature	Date Considered
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Sheet 6 of 23

Application Number	10/659,598
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First Named Inventor	Miri Seiberg
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		5,635,165	A	Panitch	06-03-1997	
		5,637,316	A	Ribier	06-10-1997	
		5,639,785	A	Kung	06-17-1997	
		5,641,509	A	Gross	06-24-1997	
		5,643,583	A	Voultoury	07-01-1997	
		5,643,587	A	Scancarella	07-01-1997	
		5,643,601	A	Gross	07-01-1997	
		5,650,166	A	Ribier	07-22-1997	
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Examiner Signature	Date Considered
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¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

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Sheet 7 of 23

Application Number	10/659,598
Filing Date	09/10/2003
First Named Inventor	Miri Seiberg
Group Art Unit	1654
Examiner Name	
Attorney Docket Number	JBP0430CIP1

U.S. PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		Number	Kind Code ² (if known)			
		5,762,916	A	Ansmann	06-09-1998	
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		5,776,917	A	Blank	07-07-1998	
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**INFORMATION DISCLOSURE
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Sheet 8 of 23

Application Number	10/659,598
Filing Date	09/10/2003
First Named Inventor	Miri Seiberg
Group Art Unit	1654
Examiner Name	
Attorney Docket Number	JBP0430CIP1

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		Number	Kind Code ² (if known)			
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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

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Sheet 9 of 23

Application Number	10/659,598
Filing Date	09/10/2003
First Named Inventor	Miri Seiberg
Group Art Unit	1654
Examiner Name	
Attorney Docket Number	JBP0430CIP1

U.S. PATENT DOCUMENTS

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		Number	Kind Code ² (if known)			
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		6,018,001	A	Hiratani et al.	01-25-2000	
		6,019,962	A	Rabe	02-01-2000	
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Examiner Signature	Date Considered
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Sheet 10 of 23

Application Number	10/659,598
Filing Date	09/10/2003
First Named Inventor	Miri Seiberg
Group Art Unit	1654
Examiner Name	
Attorney Docket Number	JBP0430CIP1

FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear	T ²
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		CN	1094279	A	Wang	11-02-1994	English Abstract	No
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		EP	0 421 021	A1	Mucos Emulsionsgesellschaft	04-10-1991		Yes
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		FR	2 685 202	A1	Sedema SA (FR)	06-25-1993	English Abstract	No

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 11 of 23

Application Number	10/659,598
Filing Date	09/10/2003
First Named Inventor	Miri Seiberg
Group Art Unit	1654
Examiner Name	
Attorney Docket Number	JBP0430CIP1

FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear	T ²
		Office ³	Number ⁴	KindCode ⁵				
		FR	2 803 747	A1	Laboratoires Pharmascience	07-20-2001		Yes
		FR	2 811 226	A1	Clarins Laboratoires	01-11-2002		Yes
		JP	1096106	A	Shiseido Company, Ltd	04-14-1989		Yes
		JP	3127713	A	Sansho Pharmaceutical et al.	05-30-1991		Yes
		JP	4169514	A	Shiseido Company, Ltd.	06-17-1992		Yes
		JP	5015574	A	Japan Atom Energy Res Inst, et al.	01-26-1993		Yes
		JP	5114905	A	Digital Equipment Corp.	05-07-1993	=EP 0 508 886	No
		JP	5213729	A	Kao Corporation	08-24-1993		Yes
		JP	5246932	A	KK Japan Hypo	09-24-1993		Yes
		JP	5320024	A	Dowa Mining Co. Ltd.	12-03-1993		Yes
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		JP	6145061	A	Fuji Seiyu KK	05-24-1994	English Abstract	No
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		JP	7196527	A	Morinaga Milk Ind. Co. Ltd.	08-01-1995	English Abstract	No
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		JP	7304655	A	Kikkoman Corp.	11-21-1995		Yes
		JP	8012560	A	Shiseido Company, Ltd.	01-16-1996		Yes
		JP	8020597	A	Meiji Pharmaceutical Company, Ltd.	01-23-1996		Yes
		JP	8040824	A	Nonogawa Shoji:KK	02-13-1996	English Abstract	No
		JP	8059450	A	Kose Corporation	03-05-1996	English Abstract	No
		JP	8099891	A	Pola Chemical Industrial Company, Ltd.	04-16-1996		Yes
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		JP	8333260	A	Kaminomoto Honpo:KK	12-17-1996	English Abstract	No
		JP	9025212	A	Shiseido Co. Ltd.	01-28-1997		Yes
		JP	9025214	A	Shiseido Co. Ltd.	01-28-1997		Yes
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Examiner Signature		Date Considered	
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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

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Sheet 12 of 23

Application Number	10/659,598
Filing Date	09/10/2003
First Named Inventor	Miri Seiberg
Group Art Unit	1654
Examiner Name	
Attorney Docket Number	JBP0430CIP1

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		Office ³	Number ⁴	KindCode ⁵				
		JP	9077638	A	Art Beauty Clinic KK	03-25-1997	English Abstract	No
		JP	9176033	A	Pigeon Corp.	07-08-1997	English Abstract	No
		JP	11346695	A	National Food Res. Inst. Ryookoku Shoji KK	12-21-1999		Yes
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		JP	2000302678	A	Crescendo Corp.	10-31-2000	English Abstract	No
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		RU	2066992	C1	Ostroumova Nadezhda Mikhajlovna	09-27-1996		Yes
		WO	87/07838	A1	Societe Bio Serae Sarl	12-30-1987	=US 4,978,528	No
		WO	91/04283	A1	Chang et al.	04-04-1991		
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Sheet 13 of 23

Application Number	10/659,598
Filing Date	09/10/2003
First Named Inventor	Miri Seiberg
Group Art Unit	1654
Examiner Name	
Attorney Docket Number	JBP0430CIP1

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		WO	96/24371	A1	Phairson Medical Inc.	08-15-1996		
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		WO	96/40121	A1	Taisho Pharmaceutical Co. Ltd.	12-19-1996		Yes
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Sheet 14 of 23

Application Number	10/659,598
Filing Date	09/10/2003
First Named Inventor	Miri Seiberg
Group Art Unit	1654
Examiner Name	
Attorney Docket Number	JBP0430CIP1

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Examiner Initials	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear	T ⁶
		Office ³	Number ⁴	KindCode ⁵				
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		WO	01/35920	A1	Hindustan Lever Limited	05-25-2001		
		WO	02/07697	A1	Cognis France S.A.	01-31-2002	=US 2004/009142	Yes

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